

SUBSTITUTE FOR
HOUSE BILL NO. 4456
(As amended May 13, 2003)

A bill to amend 1965 PA 261, entitled
"An act to authorize the creation and to prescribe the powers and
duties of county and regional parks and recreation commissions;
and to prescribe the powers and duties of county boards of
commissioners with respect to county and regional parks and
recreation commissions,"
by amending section 1 (MCL 46.351), as amended by 2000 PA 496.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. (1) The county board of commissioners of a county,
2 by resolution adopted by a 2/3 vote of all its members, may
3 create a county parks and recreation commission, which shall be
4 under the general control of the board of commissioners.
5 (2) The county parks and recreation commission shall consist
6 of the following ~~[10]~~ members:
7 (a) The chairperson of the county road commission or another
8 road commissioner designated by the board of county road
9 commissioners.

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(b) The county drain commissioner.

(c) One of the following:

(i) In a county that elects a county executive under section 9 of 1973 PA 139, MCL 45.559, the county executive or a designee of the county executive.

(ii) In a county with a population of 1,000,000 or less, the chairperson of the county planning commission or another member of the county planning commission designated by the county planning commission. In a county that does not have a county planning commission, the chairperson of the regional planning commission shall serve on the county parks and recreation commission if that person is a resident of that county. If the chairperson of the regional planning commission is not a resident of that county, then the board shall, by a 2/3 vote, appoint a member of the regional planning commission who is a resident of that county to serve on the county parks and recreation commission.

(d) Seven members appointed by the county board of commissioners, not less than 1 and not more than 3 of whom shall be members of the board of commissioners.

(e) For counties with a population greater than 750,000 but less than 1,000,000, [the county board of commissioners shall appoint a neighborhood representative. The appointee under this subdivision] shall be an officer of the homeowners or property owners association that represents the largest area geographically that is located [totally or partially within 500 feet of] the property boundary of the most frequently used county park who is willing to serve on the county parks and recreation commission. If a

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1 homeowners or property owners association is not located within
2 [500 feet] or no officer is willing to serve, then [the
3 appointee] shall be a resident within
4 that 1/2-mile area who is willing to serve on the county parks
5 and recreation commission. If no resident lives within that
6 1/2-mile area or no resident is willing to serve, then [the appointee
7] shall be a resident of the city,
8 village, or township in which the park is located who is willing
9 to serve on the county parks and recreation commission. [The first
10 appointment under this subdivision shall be made not less than 30 days
11 from the effective date of the amendatory act that added this
12 subdivision.

13
14]
15 (3) Of the members first appointed by the county board of
16 commissioners, 2 shall be appointed for a term ending 1 year from
17 the following January 1, 2 for a term ending 2 years from the
18 following January 1, and 3 for a term ending 3 years from the
19 following January 1. [The first member appointed under subdivision (e)
shall be appointed for a term ending 2 years from the following January
1.] From then on, each appointed member shall

20 be appointed for a term of 3 years and until his or her successor
21 is appointed and qualified. Each term shall expire at noon on
22 January 1. A vacancy shall be filled by the county board of
23 commissioners for the unexpired term.

24 (4) The county parks and recreation commission is an agency
25 of the county. The county board of commissioners may make rules
26 and regulations with respect to the county parks and recreation
27 commission as the board of commissioners considers advisable.

1 The members of the county parks and recreation commission are not
2 full-time officers. ~~—, and the~~ **The county** board of commissioners
3 shall fix the compensation of the members.